

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

On 12/21/98

TOWNSEND and TOWNSEND and CREW LLP

By: Jan Jane



Sector #

PATENT
Attorney Docket No.: 85761-4
Client Reference No.: AR007US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Hiroshi Takatsuji and
Hitoshi Nakagawa

Application No.: 09/156,580

Filed: September 18, 1998

For: METHOD FOR SHORTENING
INTERNODE OF INFLORESCENCE BY
INTRODUCING GENE FOR PETUNIA
TRANSCRIPTIN FACTOR PETSPL2

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION WITH FEE AUTHORIZATION

Assistant Commissioner for Patents
Box Missing Parts
Washington, D.C. 20231

Sir:

This is in response to the Notice to File Missing Parts of Application mailed October 21, 1998 in the above-referenced application. A response is due by December 21, 1998.

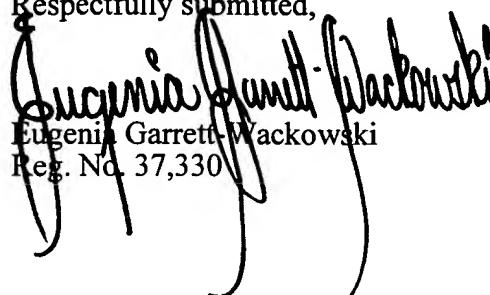
Enclosed to be made of record in this application is the combined Declaration and Power of Attorney of inventors Hiroshi Takatsuji and Hitoshi Nakagawa. Also enclosed is the requisite copy of Form PTO-1533.

The Assistant Commissioner is hereby authorized to charge the statutory basic filing fee of \$760.00 and the surcharge of \$130.00 to Deposit Account No. 20-1430. The Assistant Commissioner is further authorized to charge any additional fees remaining or credit

Hiroshi Takatsuji
Application No.: 09/156,580
Page 2

any overpayment in this application to the aforementioned deposit account. This authorization is submitted in triplicate.

Respectfully submitted,


Eugenia Garrett Wackowski
Reg. No. 37,330

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
KLB/EGW dk
SF 185326 v1

TOWNSEND & TOWNSEND
G CREW



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NO./TITLE

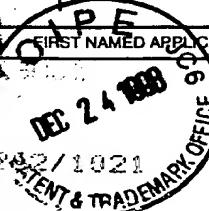
10/21/98

10/21/98

10/21/98

085761-00040065

RECEIVED



WILLIAM M SMITH
TOWNSEND AND TOWNSEND AND CREW
TWO EMBARCADERO CENTER
6TH FLOOR
SAN FRANCISCO CA 94111-3834

NEVER REGISTERED

1646

10/21/98

12219815

DATE MAILED:

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
 small entity (statement filed) non-small entity is \$ 120.

1. The statutory basic filing fee is:

- missing.
 insufficient.

Applicant must submit \$ 790 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

2. Additional claim fees of \$ 0, including any multiple dependent claim fees, are required.

\$ 0 for 0 independent claims over 3.

\$ 0 for 0 dependent claims over 20.

\$ 0 for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:

- is missing or unexecuted.
 does not cover the newly submitted items.
 does not identify the application to which it applies.
 does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

7. Your filing receipt was mailed in error because your check was returned without payment.

8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box-Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division

202

00000114 201430

00000114 201430

130.00

790.00

01 FC:105

02 FC:101

0915690

00000114 201430

TO BE RETURNED WITH RESPONSE